

Before the
FEDERAL COMMUNICATIONS COMMISSION
 Washington, D.C. 20554

ORIGINAL

In the Matter of)	
)	
Amendment of Section 73.202(b))	MB Docket No. 04-409
Table of Allotments)	RM-11108
FM Broadcast Stations)	
(Port Norris, New Jersey))	

To: Office of the Secretary
 Attn: Assistant Chief, Audio Division
 Media Bureau

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 Federal Communications Commission
 Office of Secretary

COUNTERPROPOSAL

CXR Holdings, Inc. ("CXR"), licensee of Station WDYL(FM), Chester, Virginia, by its counsel, hereby submits this counterproposal to the *Notice of Proposed Rule Making*, DA 04-3512 (rel. Nov. 5, 2004) ("*NPRM*") in the above-captioned proceeding. CXR proposes to change the channel and class of WDYL from Channel 266A to 265B1, relocate the station to a new transmitter site, and change its community of license to Lakeside, Virginia. In order to accomplish these changes, the following amendments to the FM Table of Allotments are requested (listed alphabetically):

Community	Existing	Channel Proposed
Fruitland, MD	298B1	273B
Princess Anne, MD	273B	----
Willards, MD	----	299B1
Chester, VA	266A	----
Lakeside, VA	----	265B1
Warsaw, VA	265A	298A

Adoption of this counterproposal will provide first local services to two communities: Lakeside, Virginia (2000 U.S. Census pop. 11,157) and Willards, Maryland (2000 U.S. Census

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pop. 938), and will provide 60 dBu radio service to an increased population of 72,137. In support whereof, CXR states as follows:

I. PRELIMINARY MATTERS

1. CXR has reached agreement with the licensees of all but one of the affected stations for the changes proposed herein. The consent statements of the licensees of WKHI, Fruitland, Maryland, and WOLC, Princess Anne, Maryland, are attached hereto as Exhibit A. With respect to the remaining station, CXR requests that the Commission issue an Order to Show Cause to Northern Neck & Tidewater Communications, Inc., the licensee of Station WNNT-FM, Warsaw, Virginia, to show cause why its channel should not be changed from 265A to 298A at its current site. CXR hereby states that it will reimburse each licensee for its reasonable expenses in changing channel and/or transmitter site in accordance with *Circleville, Ohio*, 8 FCC 2d 159 (1967). Thus, this proposal complies with the Commission's policy in *Columbus, Nebraska*, 59 RR 2d 1185 (1986).

2. CXR also states that it will apply for Channel 265B1 at Lakeside, Virginia and construct the facilities if the Commission grants this proposal. CXR hereby states that pursuant to Section 1.420(j), it has not paid nor promised to pay, in any agreement, any licensee, permittee or applicant for withdrawing an expression of interest, dismissing an application or forbearing to file an expression of interest or application.

II. CONFLICT WITH THE *NPRM*

3. As indicated in the attached Engineering Statement, this proposal, which would result in the allotment of Channel 299B1 to Willards, Maryland, conflicts with the *NPRM* proposal to allot a first local service to Port Norris, New Jersey on Channel 299A. The Commission should favor first local services to Lakeside, Virginia and Willards, Maryland (with a combined 2000 U.S. Census pop. of 12,095) over a first local service to Port Norris, New

Jersey (2000 U.S. Census pop. 1,507) under its FM priorities. *See Revision of FM Assignment Policies and Procedures*, 90 FCC 2d 88 (1982); *Blanchard, Louisiana and Stephens, Arkansas*, 8 FCC Rcd 7083 (1993), *recon. denied*, 10 FCC Rcd 9828 (1995).

III. COMPLIANCE WITH THE COMMISSION'S TECHNICAL RULES

A. STATION WDYL, LAKESIDE, VIRGINIA

1. Technical Compliance

4. As indicated in the attached channel study, Exhibit E, Figure 1, Channel 265B1 can be allotted to Lakeside in compliance with the Commission's spacing rules provided that a change is made at Warsaw, Virginia. That change, and the other modifications it requires in turn, will be discussed below. From the proposed site the station will provide a 70 dBu signal to Lakeside. *See Figure 2.*

2. Change in Community of License

5. In *Amendment of the Commission's Rules Regarding Modification of FM and TV Authorizations to Specify a New Community of License ("Community of License")*, 4 FCC Rcd 4870 (1989), *recon. granted in part*, 5 FCC Rcd 7094 (1990), the Commission stated that in order to grant a change in community of license: (1) the proposed use of the channel must be mutually exclusive with its current use; (2) the existing community of license must retain local service; and (3) the proposed arrangement of allotments must be preferred over the existing arrangement under the Commission's allotment priorities.

6. Here, the attached channel study, Figure 1, demonstrates that the proposed allotment of Channel 265B1 at Lakeside is mutually exclusive with the current allotment of Channel 266A at Chester. Chester will retain existing local service, because Station WGGM(AM) will remain licensed to Chester. The provision of a first local service at Lakeside (U.S. Census pop. 11,157) under priority (3) is preferred over the provision of a second local

service to Chester (2000 pop. 17,890) under priority (4). The allotment of Channel 265B1 to Lakeside will result in a net gain in 60 dBu service to 40,818 people. *See* Figure 3. The loss area will continue to receive adequate aural service. *See* Figure 4.

7. Both Chester and Lakeside are located within the Richmond Urbanized Area. Therefore, this relocation does not implicate the Commission's policy concerning the migration of stations from underserved rural areas to well-served urban areas. *See Boulder and Lafayette, Colorado*, 11 FCC Rcd 3632 (1996) (granting a proposal to reallocate a channel from one community in an Urbanized Area to another community in same Urbanized Area without a *Tuck* showing); *East Los Angeles, Long Beach and Frazier Park, California*, 10 FCC Rcd 2864 (1995) (stating that the concern with migration to Urbanized Areas does not exist when a proposal involves reallocating a channel from one community in an Urbanized Area to another community in same Urbanized Area).

8. Lakeside enjoys the attributes that the Commission traditionally associates with a community. Lakeside is listed in the 2000 U.S. Census as a Census Designated Place with a population of 11,157 persons and therefore is presumed to have the status of a community for allotment purposes. *See Arnold and Columbia, California*, 7 FCC Rcd 6302 (1992).

9. Lakeside is located in Henrico County, Virginia. The ZIP code assigned to Lakeside is 23228, and the U.S. Postal Service operates an office at 2100 East Parham Road in Lakeside. The school system in Lakeside is administered by the Henrico County Public Schools, and includes Lakeside Elementary School in Lakeside. The Lakeside Volunteer Rescue Squad provides emergency services. It has a fleet of five ambulances and one response vehicle. Police services and protection for the community of Lakeside are provided by the Henrico County Division of Police. *See* Exhibit B.

10. There are two newspapers that serve the community of Lakeside, the *Henrico County Leader* and the *Henrico Citizen*. The *Henrico Citizen* is published on the first and third Thursdays of each month and can be purchased at retail locations in Lakeside. Articles can also be located on the internet at <www.henricocitizen.com>. Articles from the *Henrico County Leader* can be located on the internet at <www.henricoleader.com>. See Exhibit B.

11. Lakeside is home to a variety of businesses and commercial establishments. Many of the local businesses identify with the community by using "Lakeside" in their name, including Lakeside Laser and Skincare Center, Lakeside Insulation, Lakeside Animal Hospital, Lakeside Appliance, Lakeside Auto, Lakeside Chinese Carryout, Lakeside Hair Design, Lakeside Fuel, Lakeside Mini Storage, Lakeside Stove & Fireplace Shop, Lakeside Styles, Lakeside Upholstery, Lakeside Heating and Plumbing, BB&T Bank-Lakeside, and Lakeside Laundry. Lakeside is also part of the Henrico County Economic Development Office. See Exhibit B.

12. Lakeside has many religious and community organizations including Lakeside Moose Lodge, Lakeside Presbyterian Church, Lakeside Swim & Racquet Club, Lakeside Country Club, and Lakeside United Methodist Church. Lakeside has also been the home to Lakeside Youth Baseball since 1954. Health care is provided to the community of Lakeside by Lakeside Primary Care and a number of sole practitioners. See Exhibit B.

13. Lakeside, Virginia is clearly a community for allotment purposes and therefore deserving of a first local service. CXR reiterates that as the licensee of WDYL, it will apply for Channel 265B1 to serve Lakeside and construct the facility if a permit is granted.

B. STATION WNNT-FM, WARSAW, VIRGINIA

14. In order to allot Channel 265B1 to Lakeside, Virginia, Station WNNT-FM, Warsaw, Virginia, must change its channel from 265A to 298A. Channel 298A can be allotted

to Warsaw at WNNT-FM's currently licensed site provided that a change is made at Fruitland, Maryland, as discussed below. *See* Exhibit E, Figure 5.

15. As stated previously, should the Commission adopt this proposal and substitute Channel 298A for Channel 265A at Warsaw, Virginia, CXR will reimburse the licensee for its reasonable expenses in changing channels. However, since no agreement has been reached, it will be necessary to issue an Order to Show Cause to Northern Neck & Tidewater Communications, Inc., the licensee of WNNT-FM, in order to change its channel.

C. STATION WKHI, FRUITLAND TO WILLARDS, MARYLAND

16. In order to allot Channel 298A to Warsaw, Virginia, Station WKHI, Fruitland, Maryland, must change from Channel 298B1 to Channel 299B1, relocate its transmitter site, and change its community of license to Willards, Maryland.

1. Technical Compliance

17. Channel 299B1 can be allotted to Willards in compliance with the Commission's spacing rules. *See* Figure 6. From the new transmitter site, the station will place a 70 dBu contour over Willards. *See* Figure 7. A gain-loss study is also attached. *See* Figure 8. CXR has entered into an agreement with Great Scott Broadcasting, the licensee of WKHI, regarding the changes. The licensee's consent is attached hereto in Exhibit A. CXR reiterates that it will reimburse the licensee for its expenses in making the changes. The allotment of Channel 299B1 at Willards is mutually exclusive with the NPRM proposal to allot Channel 299A to Port Norris, New Jersey. *See* Figure 6. As discussed above, this counterproposal, which would provide a first local service at Lakeside, Virginia as well as Willards, Maryland, should be preferred under the Commission's allotment priorities.

2. Change in Community of License

18. The relocation of WKHI from Fruitland to Willards complies with the Commission's policy in *Community of License, supra*. The proposed allotment of Channel 299B1 at Willards is mutually exclusive with the current allotment of Channel 298B1 at Fruitland. See Exhibit E, Figure 6. Fruitland will retain local service, because Station WOLC, Princess Anne, Maryland has agreed to relocate to Fruitland as described below. Thus, the proper comparison is between the provision of a first local service at Willards (pop. 938) under priority (3) and the provision of a second local service to Princess Anne, Maryland (2000 pop. 2,313) under priority (4). The allotment of 299B1 to Willards will result in a net gain in 60 dBu service to 31,319 people. See Figure 8. The loss area will continue to receive adequate aural service. See Figure 9.

19. Willards is not located in any Urbanized Area, nor will the 70 dBu contour cover any portion of any Urbanized Area. Therefore, this relocation does not implicate the Commission's policy concerning the migration of stations from underserved rural areas to well-served urban areas. Indeed, Fruitland is located within the Salisbury Urbanized Area, so this relocation actually involves a migration in the other direction, from an urban to a rural area.

20. Willards enjoys the attributes that the Commission traditionally associates with a community. Willards is listed in the 2000 U.S. Census with a population of 938 persons and therefore is presumed to have the status of a community for allotment purposes. See *Arnold and Columbia, California*, 7 FCC Rcd 6302 (1992).

21. Willards is located in Wicomico County, Maryland. The ZIP code assigned to Willards is 21874 and the U.S. Postal Service operates a branch office in Willards at 36311 Richlands Road. The Town of Willards was established in 1895 and incorporated in 1906.

Willards' economy is centered around agriculture and the poultry industry. Willards is administered by a Town Council, which consists of a president and four additional members. Each member of the Town Council is elected by the citizens of Willards to four year terms. In addition to the Town Council, Willards also has a Secretary, Clerk, Treasurer, Attorney, Water and Wastewater Superintendent, and Planning and Zoning Commissioner. The school system in Willards is administered by the Wicomico County Public Schools, which operates Willards Elementary School in Willards. The Willards Fire Department and E.M.S. are part of the Wicomico County Emergency Services. *See Exhibit C.*

22. Willards is home to a variety of businesses and commercial establishments. Many of these businesses identify with the community by using "Willards" in their names, including the Farmers Bank of Willards, Willards Senior Center, and Davenport Insulation-Willards. Other Willards retail and commercial businesses include Jim Lewis Used Cars, American Family Restaurant, Clucker's Restaurant, E-Z Foods, and Still Meadows Apartments. The Willards Lions Club owns and administers the Willards Lions Community Center in Willards. The Community Center is used for a number of community activities including Lions Club meetings, senior citizens meetings, local church functions, PTA meetings, Willards Elementary School meetings, and Willards Fire Company meetings. The Community Center also hosts WILL at Willards Lions, which offers computer classes to the community of Willards and serves as a homework and recreational site for children after school. *See Exhibit C.*

D. STATION WOLC, PRINCESS ANNE TO FRUITLAND, MARYLAND

23. Station WKHI, which will be relocating to Willards, Maryland as described above, is Fruitland's only local service. To avoid depriving Fruitland of its only local service, Station WOLC has agreed to change its community of license from Princess Anne, Maryland, to

Fruitland, Maryland. This change can be accomplished with no change in the station's current transmitter site.

1. Technical Compliance

24. Channel 273B can be allotted to Fruitland at WOLC's current transmitter site in compliance with the Commission's spacing rules. *See* Exhibit E, Figure 10. The station will provide 70 dBu coverage to the community of Fruitland. *See* Figure 11. No gain-loss study is necessary because there will be no change in the coverage of the station. The licensee of WOLC, Maranatha, Inc., has furnished a statement consenting to the change in community of license. *See* Exhibit A. CXR reiterates that it will reimburse the licensee for its expenses in connection with the changes.

2. Change in Community of License

25. The relocation of Station WOLC from Princess Anne to Fruitland, Maryland, satisfies the prerequisites of *Community of License, supra*. First, the proposed allotment of Channel 273B at Fruitland is inconsistent with its current allotment at Princess Anne. *See* Exhibit E, Figure 10. Second, Princess Anne will not be deprived of service because WESM(FM) will remain licensed to Princess Anne. Finally, the proposed arrangement of allotments is superior to the existing arrangement. In this regard, the Commission should consider the benefits of the proposal as a whole, which include the provision of two first local services, because the community change for WOLC is an integral part of this proposal. *See Dinosaur and Rangely, Colorado, et al., 19 FCC Rcd 10327 (2004) (replacing service at Franklin, Utah through community changes at Fort Bridger, Wyoming, Smithfield, Utah, and Preston, Idaho).*

IV. CONCLUSION

26. Grant of this counterproposal is in the public interest because it will provide new first local services at Lakeside, Virginia and Willards Maryland with a combined population of 12,095, and a net gain in radio service to 72,137 people. All communities will retain local service, and any loss areas will remain well served. CXR is confident that the changes can be implemented smoothly with a minimum of disruption. Accordingly, the Commission should grant this counterproposal.

Respectfully submitted,

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Of Counsel

December 27, 2004

**Engineering Statement
In Support of a
Counterproposal
MB Docket 04-409**

CXR Holdings, Inc.

General

CXR Holdings, Inc. ("CXR") hereby submits the instant counterproposal to MB Docket 04-409, which proposes the allocation of channel 299A at Port Norris, New Jersey as that community's first local service. The instant counterproposal creates first local services at Lakeside, Virginia (population 11,157) and Willards, Maryland (population 938). The total population of these two communities (12,095) dwarfs that of Port Norris, New Jersey (population 1,507). Hence, the instant counterproposal should be given preference under FCC guidelines. The following is a summary of the changes proposed to the Table of Allotments:

<u>City</u>	<u>Current</u>	<u>Proposed</u>
Chester, VA ¹	266A	-----
Lakeside, VA	-----	265B1
Warsaw, VA	265A	298A
Fruitland, MD	298B1	273B
Willards, MD	-----	299B1
Princess, Anne, MD ²	273B	-----

Exhibits Explained

Exhibit E, Figure 1 is an allocation study for the proposed allotment of channel 265B1 at Lakeside, Virginia as that community's first local service. This exhibit demonstrates that this allotment is fully spaced to all other facilities except channel 265A (WNNT) at Warsaw, Virginia.

¹ Chester, VA will continue to be served by WGGM(AM), 820 kHz.

² Princess Anne, MD will continue to be served by non-commercial FM WESM(FM), channel 217B.

Exhibit E, Figure 2 demonstrates coverage of 100% of the community of license with a city-grade contour from the proposed allocation coordinates. Exhibit E, Figure 3 shows the area and population that gain and lose 60 dBu coverage as a result of this allocation. Exhibit E, Figure 4 shows that all points inside the loss area will continue to receive at least 5 aural services. Therefore, there will be no underserved persons as a result of the deletion of channel 266A at Chester, Virginia.

As stated earlier, channel 265B1 cannot be allocated at Lakeside, Virginia without a facility modification being made to WNNT, channel 265A, Warsaw, Virginia. The instant counterproposal proposes to change WNTSTF's channel from 265A to 298A at its current licensed site. This is demonstrated in the allocation study for channel 298A at Warsaw in Exhibit E, Figure 5. The only facility that channel 298A at Warsaw is short spaced to is WKffl(FM), channel 298B1, Fruitland, Maryland.

The instant counterproposal seeks to delete channel 298B1 at Fruitland and allocate channel 299B1 at Willards, Maryland for use by WKHI. This is shown in Exhibit E, Figure 6. Exhibit E, Figure 7 shows that a class B1 70 dBu contour will cover 100% of the proposed community of license of Willards, Maryland. Exhibit E, Figure 8 is a gain/loss study for WKHI, and Exhibit E, Figure 9 shows that all points in the proposed loss area will continue to receive at least 5 interference-free aural services. In order to keep a local service at Fruitland, the instant counterproposal seeks to delete channel 273 B at Princess Anne, Maryland (WOLC) and allocate that channel at Fruitland. No technical changes to WOLC are needed in order to accomplish this. Exhibit E, Figure 10 is an allocation study showing that WOLC is fully spaced to all other facilities. (WERX in Columbia, North Carolina protects WOLC as a maximum

class B facility. Hence, WOLC is a §73.207 facility at its current site.) Exhibit E, Figure 11 shows that WOLC covers 100% of Fruitland with a 70 dBu contour.

Conclusion

As a result of the instant counterproposal, two new communities (Lakeside, Virginia and Willards, Maryland) will receive new first local service. In addition, the population receiving a new aural service will increase by a net of 72,137 persons. This counterproposal will also provide a new aural service to a net area increase of 1,616 square kilometers.

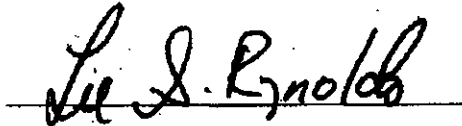
Statement of the Consultants

The instant engineering portion of a counterproposal was prepared for CXR Holdings, Inc., licensee of WDYL, channel 266A, Chester, Virginia. ("CXR"). It supports a counterproposal to MB Docket 04-409, RM-11108. It was developed by Reynolds Technical Associates (RTA) and may not be used for purposes other than submission to the Commission by CXR.

It may not be reproduced in its entirety, or in part, by anyone (other than from the Commission) without the written consent of RTA.

The information in this application is compiled from the most recent Commission and outside data. RTA is not responsible for errors resulting from incorrect data or unpublished rule and procedure changes.

For Reynolds Technical Associates:

A handwritten signature in black ink, reading "Lee S. Reynolds", is written over a horizontal line.

Lee S. Reynolds

December 20th, 2004

12585 Old Highway 280 East, Suite 102
Chelsea, Alabama 35043 (205)618-2020

**Engineering Statement
In Support of a
Counterproposal
MB Docket 04-409**

Channel 265B1 at Lakeside, VA (WDYL) Allocation Study

REFERENCE		DISPLAY DATES
37 36 08 N	CLASS = B1	DATA 12-09-04
77 22 09 W	Current Spacings	SEARCH 12-09-04
----- Channel 265 - 100.9 MHz -----		

Call	Channel	Location	Dist	Azi	FCC	Margin
Community of Lakeside			VA	9.47	275.9	
Reference Coordinates:						
North Latitude: 37-36-39						
West Longitude: 77-28-33						
WDYL	LIC-N 266A	Chester	VA	18.94	197.1	96.0 -77.06
Of no concern:						
Licensed coordinates of WDYL						
WNNTFM	LIC 265A	Warsaw	VA	66.35	54.8	143.0 -76.65
Of concern:						
Channel 265A deleted at Warsaw and channel 298A substituted in its place.						
WZEZ	LIC-N 263A	Goochland	VA	47.54	274.9	48.0 -0.46
WARVFM	LIC 262A	Petersburg	VA	47.59	183.3	48.0 -0.41
WDCE	LIC 211A	Richmond	VA	15.55	260.9	12.0 3.55
WFMI	LIC-N 265C2	Southern Shores	NC	204.69	139.0	200.0 4.69
WBQB	LIC-D 268B	Fredericksburg	VA	81.09	358.4	71.0 10.09
WWDCFM	LIC 266B	Washington	DC	157.50	9.8	145.0 12.50
WRVAFM	LIC 264C	Rocky Mount	NC	208.44	199.6	193.0 15.44
WQPO	LIC 264B	Harrisonburg	VA	164.86	305.5	145.0 19.86
AD264	PRO 264A	Tangier	VA	123.95	77.8	96.0 27.95
WAAI	LIC 265A	Hurlock	MD	172.41	48.3	143.0 29.41
WXJK	LIC 267A	Farmville	VA	95.46	251.3	48.0 47.46

**WDYL, Channel 265B1
Proposed Allocation Site
70 dBu Contour Map**

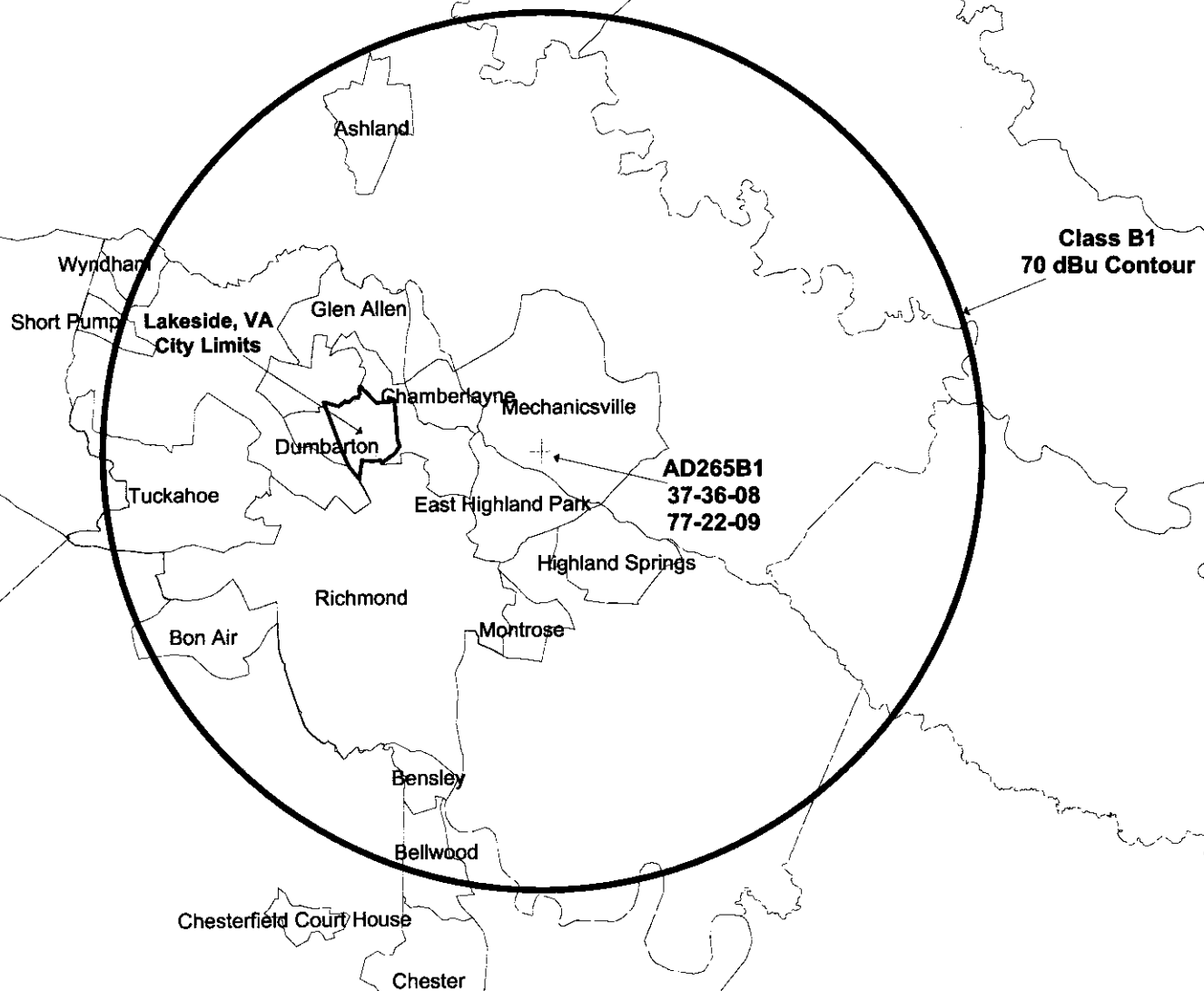


Exhibit E, Figure 2

**WDYL, Channel 265B1
Gain/Loss Study Map**

**Gain Area = 2,744 sq. km
Loss Area = 265 sq. km
Pop. Gain = 105,591
Pop. Loss = 64,773**

GAIN AREA

**Class B1
60 dBu Contour**

**AD265B1
37-36-08
77-22-09**

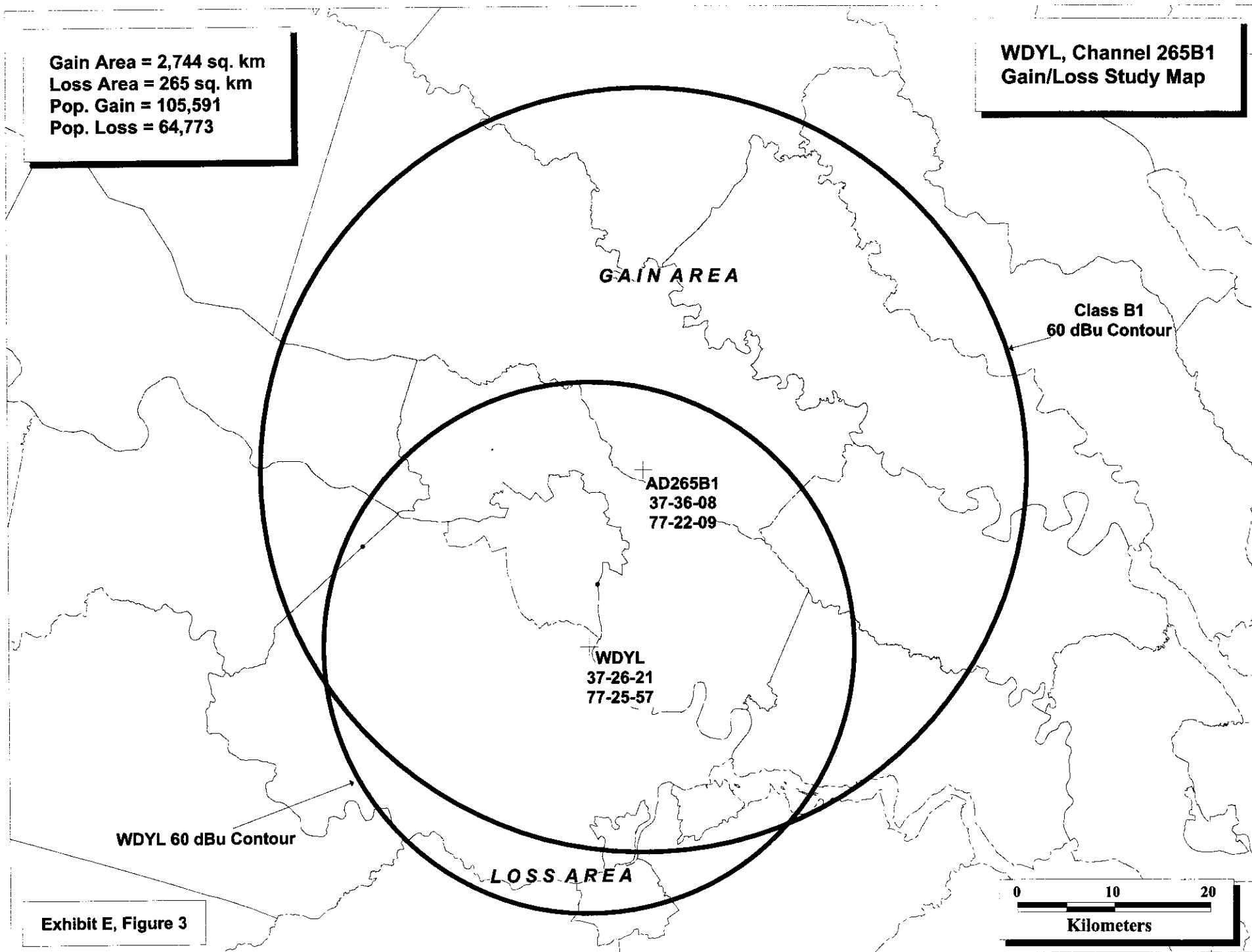
**WDYL
37-26-21
77-25-57**

WDYL 60 dBu Contour

LOSS AREA

Exhibit E, Figure 3

**0 10 20
Kilometers**



**WDYL, Channel 265B1
Remaining Services
Study Map**

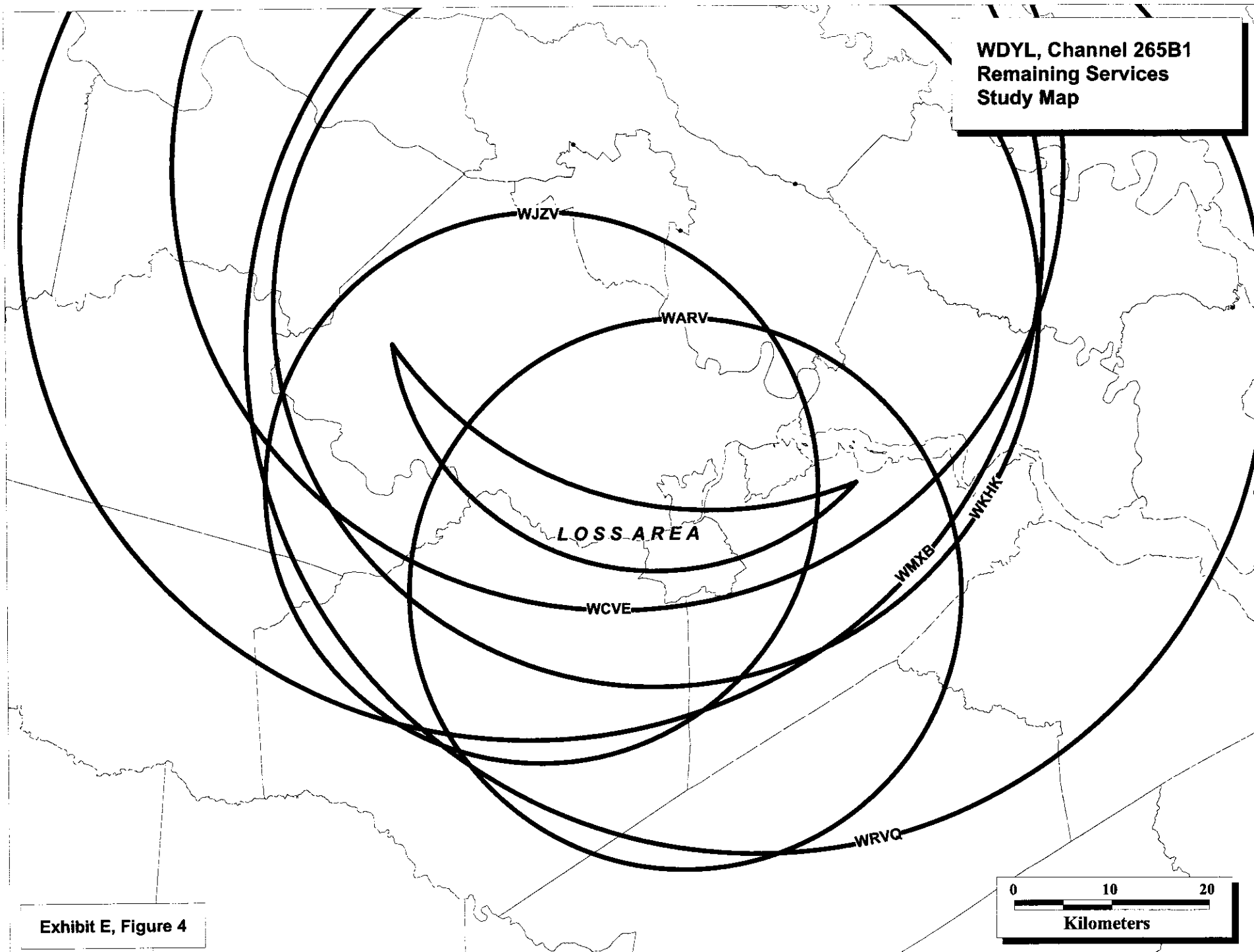


Exhibit E, Figure 4

**Engineering Statement
In Support of a
Counterproposal
MB Docket 04-409**

**Channel 298A at Warsaw, VA (WNNT) Allocation Study
(Using the Licensed WNNT Site as Reference)**

REFERENCE		DISPLAY DATES
37 56 39 N	CLASS = A	DATA 12-09-04
76 45 05 W	Current Spacings	SEARCH 12-09-04
----- Channel 298 - 107.5 MHz -----		

Call	Channel	Location	Dist	Azi	FCC	Margin
WKHI	LIC-N 298B1	Fruitland	MD 98.11	72.9	143.0	-44.89

Of concern:

Instant petition deletes channel 298B1 at Fruitland, MD and

Proposes the allocation of channel 299B1 at Willards, MD (see below)

WRQX	LIC	297B	Washington	DC	115.30	345.8	113.0	2.30
WTOFPM	LIC	299B	Warrenton	VA	129.70	313.5	113.0	16.70
WWBR	LIC-Z	300A	West Point	VA	55.06	185.7	31.0	24.06
WBBTFM	LIC-N	297A	Powhatan	VA	97.14	240.0	72.0	25.14
WAFX	LIC	295C	Suffolk	VA	126.49	180.1	95.0	31.49
WAFX.A	APP	295C	Suffolk	VA	126.71	180.2	95.0	31.71
WAFX.A	APP	295C	Suffolk	VA	126.71	180.2	95.0	31.71
WCJZ	LIC	298A	Charlottesville	VA	152.00	272.2	115.0	37.00

AD299	PRO	299B1	Willards	MD	135.97	74.5	96.0	39.97
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Of note:

Proposed modification of WKHI(FM) to

Reference coordinates 38-15-42/75-15-15

WBBTFM	APP	297A	Powhatan	VA	112.13	240.2	72.0	40.13
WBBTFM	CP	297A	Powhatan	VA	112.13	240.2	72.0	40.13
WWUZ	LIC	245A	Bowling Green	VA	54.59	272.7	10.0	44.59
WFSI	LIC-D	300B	Annapolis	MD	117.06	4.0	69.0	48.06

**Engineering Statement
In Support of a
Petition for Rule Making**

Channel 299B1 at Willards, MD (WKHI) Allocation Study

REFERENCE	CLASS = B1	DISPLAY DATES
38 15 42 N		DATA 12-09-04
75 15 15 W	Current Spacings	SEARCH 12-09-04
----- Channel 299 - 107.7 MHz -----		

Call	Channel	Location	Dist	Azi	FCC	Margin
<hr/>						
	Community of Willards		MD 16.54	329.6		
	Reference coordinates: North Latitude: 38-23-24 West Longitude: 75-21-01					
WKHI	LIC-N 298B1	Fruitland	MD 37.99	259.4	114.0	-76.01
	Of no concern: Licensed coordinates of WKHI.					
RADD	ADD 299A	Port Norris	NJ 110.97	9.8	143.0	-32.03
	Of concern: Instant petition is filed as a counterproposal.					
WQJZ.A	APP-N 246A	Ocean Pines	MD 12.40	358.2	12.0	0.40
WFSI	LIC-D 300B	Annapolis	MD 146.88	304.3	145.0	1.88
WQJZ	LIC-Z 246A	Ocean Pines	MD 14.93	27.3	12.0	2.93
WGTY	LIC-D 299B	Gettysburg	PA 229.93	321.0	211.0	18.93
WTOPFM	LIC 299B	Warrenton	VA 231.38	284.2	211.0	20.38
WTDK	LIC 296A	Federalburg	MD 70.64	322.9	48.0	22.64
WBEY.C	CP -N 245A	Crisfield	MD 50.65	239.4	12.0	38.65
AD298	PRO 298A	Warsaw	VA 135.97	255.4	96.0	39.97
	Of note: Proposed channel for WNNT at its current site as a substitution for channel 265A.					
WBEY	LIC-N 245A	Crisfield	MD 59.62	237.8	12.0	47.62
RDEL	DEL 245A	Crisfield	MD 59.63	237.9	12.0	47.63
RDEL	DEL 245A	Crisfield	MD 59.63	237.9	12.0	47.63
<hr/>						

**WKHI, Channel 299B1
Proposed Allocation Site
70 dBu Contour Map**

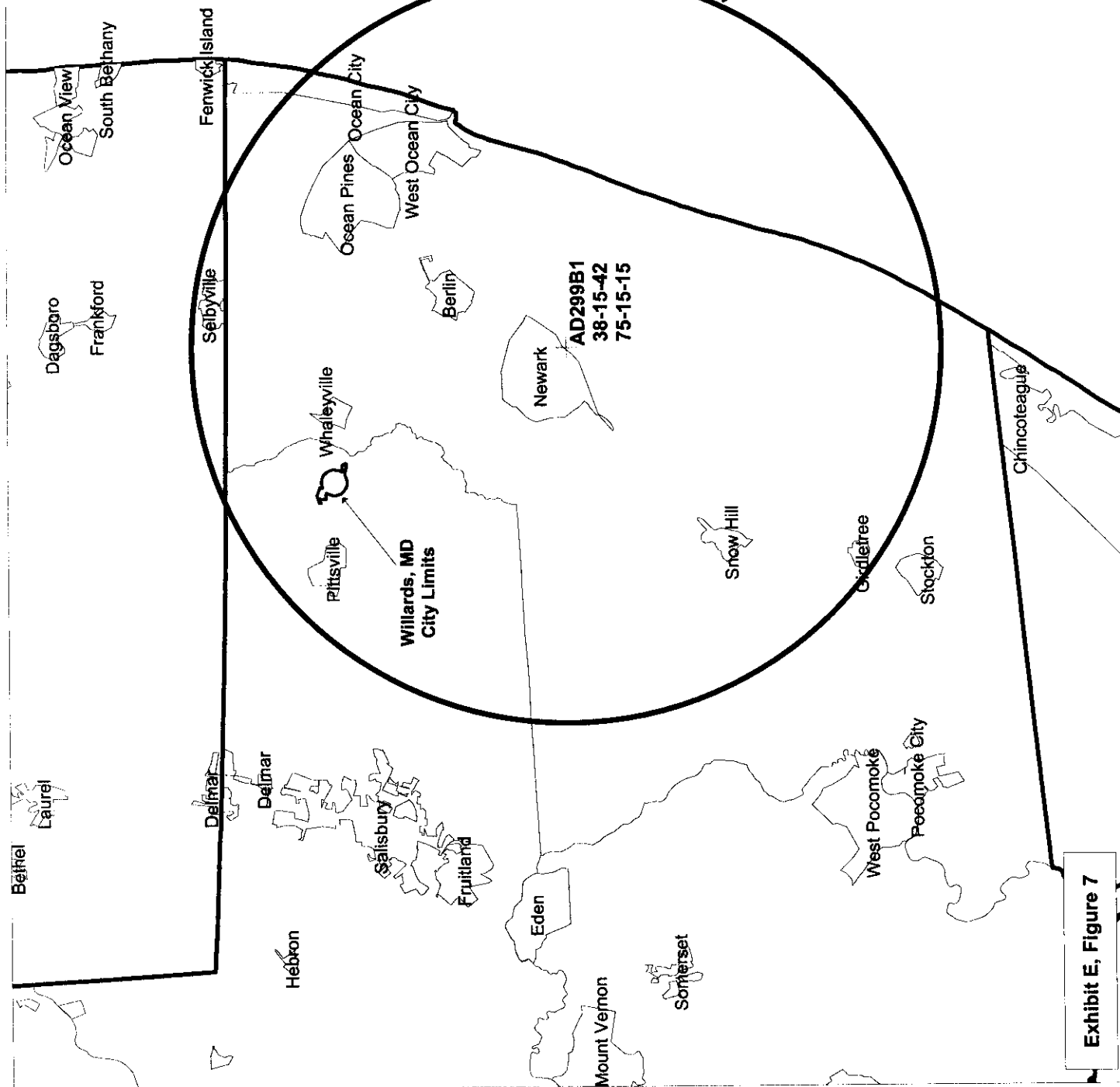


Exhibit E, Figure 7

**WKHI, Channel 299B1
Gain/Loss Study Map**

Gain Area = 1,196 sq. km
Loss Area = 2,059 sq. km
Pop. Gain = 70,187
Pop. Loss = 38,868

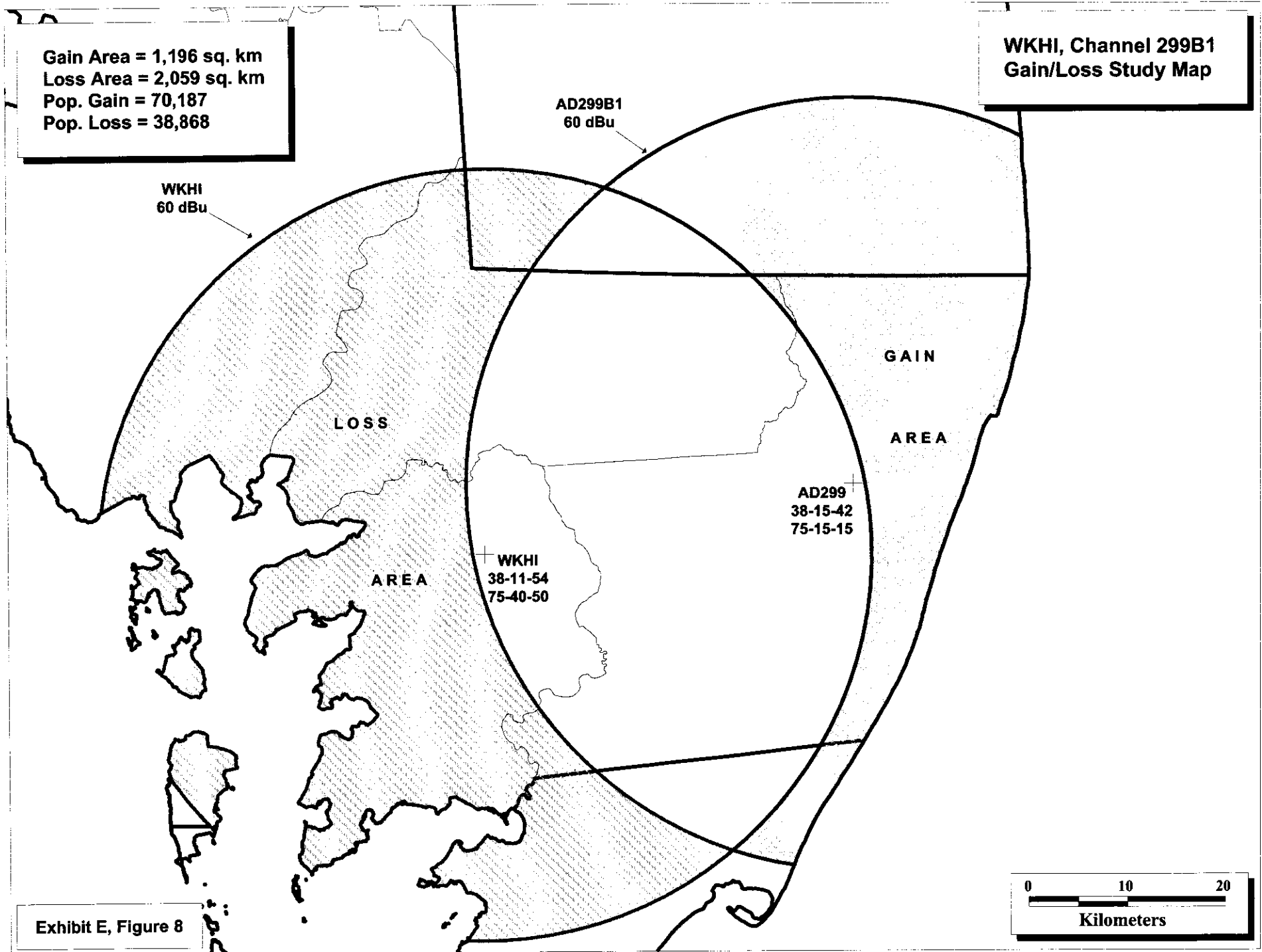


Exhibit E, Figure 8

**WKHI, Channel 299B1
Remaining Services Study
Map**

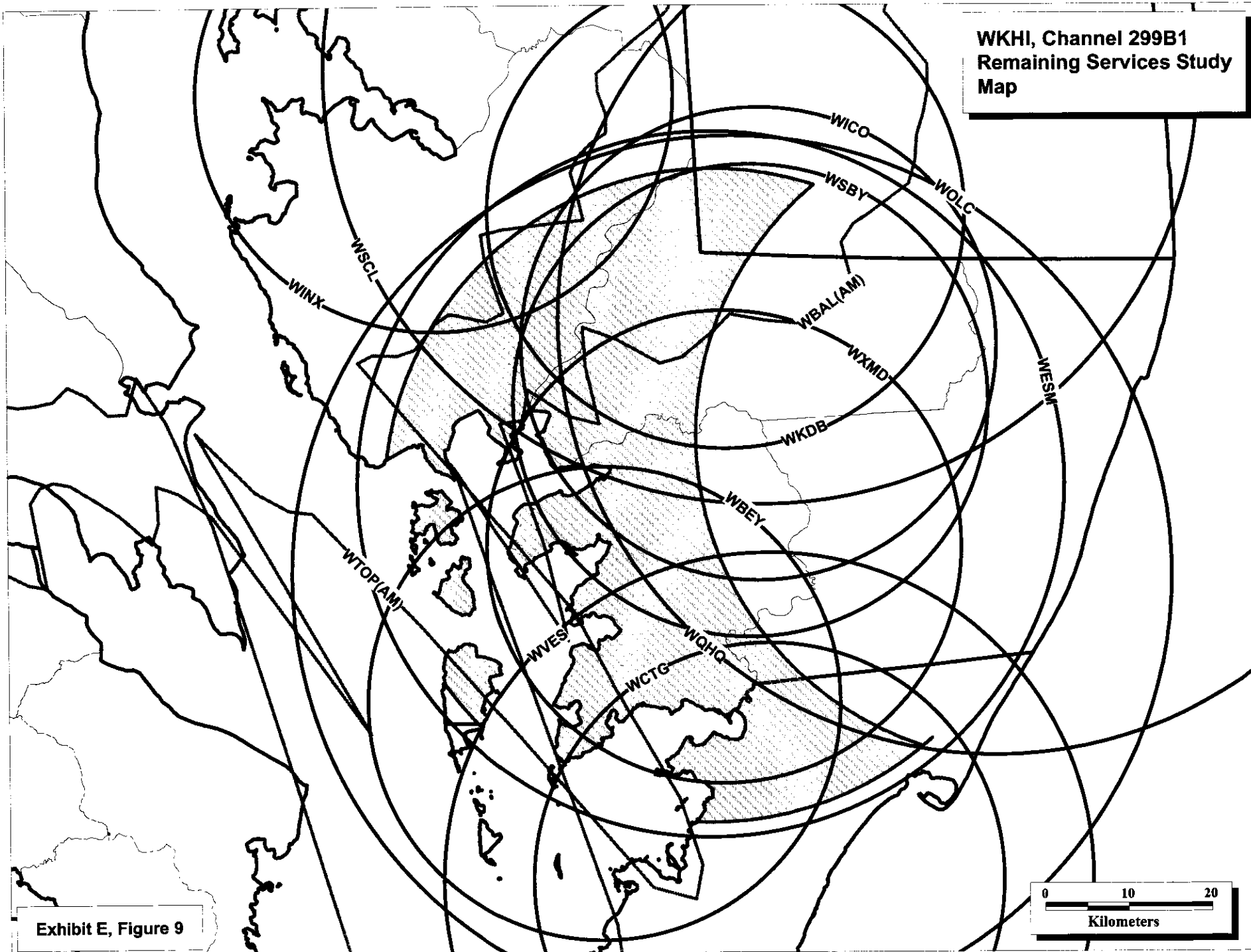


Exhibit E, Figure 9

**Engineering Statement
In Support of a
Counterproposal
MB Docket 04-409**

**Channel 273B at Fruitland, MD (WOLC) Allocation Study
(Using the Licensed WOLC Site as Reference)**

REFERENCE		DISPLAY DATES
38 06 43 N	CLASS = B	DATA 12-09-04
75 39 14 W	Current Spacings	SEARCH 12-09-04
----- Channel 273 - 102.5 MHz -----		

Call	Channel	Location	Dist	Azi	FCC	Margin
<hr/>						
	Community of Fruitland		MD 23.69	7.3		
	Reference coordinates:					
	North Latitude: 38-19-25					
	West Longitude: 75-37-10					
<hr/>						
WOLC	LIC 273B	Princess Anne	MD 0.00	0.0	241.0	-241.00
	Of no concern:					
	Licensed coordinates of WOLC					
<hr/>						
WERXFM	LIC-N 273C1	Columbia	NC 251.15	194.4	270.0	-18.85
	Of note:					
	WERX protects WOLC under \$73.215. WOLC is a \$73.207 facility.					
	WOLC proposes no technical change in the instant petition.					
<hr/>						
WQSR	LIC 274B	Baltimore	MD 169.66	326.9	169.0	0.66
WRFYFM	LIC 273B	Reading	PA 246.22	355.3	241.0	5.22
WAIV	LIC 272A	Cape May	NJ 120.77	34.1	113.0	7.77
WUSQFM	LIC 273B	Winchester	VA 256.22	298.4	241.0	15.22
WKIKFM	LIC 275A	California	MD 88.82	289.0	69.0	19.82
WRNRFM	LIC 276A	Grasonville	MD 103.04	333.9	69.0	34.04
WJSE	LIC 274A	Petersburg	NJ 149.06	35.1	113.0	36.06
WMMJ	LIC 272A	Bethesda	MD 155.27	306.7	113.0	42.27
<hr/>						

**WOLC, Channel 273B
Proposed Allocation Site
70 dBu Contour Map**

The map displays the 70 dBu contour for Class B stations in the WOLC area, Channel 273B. The contour is shown as a solid line. Key locations and features include:

- Class B 70 dBu Contour**: Indicated by a solid line.
- AD273B 38-06-43 75-39-14**: The proposed allocation site, marked with a cross.
- Locations within the contour**: Salisbury, Eden, Mount Vernon, Somerset, Clance, Dames Quarter, Deal Island, Falmouth, Freetown-Rumbly, Crisfield, Smith Island, West Pocomoke, Pocomoke City, Snow Hill, Girdlefree, Stockton, Chincoteague, Hatwood, Bloxom, and Sexis.
- Locations outside the contour**: Hebron, Fruitland, MD City Limits, Newark, Berlin, and Pittsville.
- Scale**: 0 to 15 Kilometers.

Tangier

A horizontal scale bar with three segments. The first segment is labeled '0' at its left end. The second segment is labeled '7.5' in the middle. The third segment is labeled '15' at its right end. Below the bar, the word 'Kilometers' is written in a bold, sans-serif font.